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Filing date: **09/17/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91171425
Party	Plaintiff PPC Marketing, Ltd.
Correspondence Address	Nicole Batten Emmons Baker & McKenzie LLP 2001 Ross Avenue, 2300 Trammell Crow Center Dallas, TX 75201 UNITED STATES nicole.b.emmons@bakernet.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Nicole B. Emmons
Filer's e-mail	nicole.b.emmons@bakernet.com
Signature	/Nicole B Emmons/
Date	09/17/2009
Attachments	2009-09-17 - Joint Motion to Suspend Consolidated Proceedings.pdf (4 pages) (82037 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

PPC MARKETING, LTD.,)	Consolidated Proceeding
)	
Opposer,)	
v.)	Opposition No. 91171425
)	Opposition No. 91171426
MICHAEL FOODS, INC.,)	
)	
Applicant,)	

JOINT MOTION TO SUSPEND CONSOLIDATED PROCEEDINGS

Opposer, PPC Marketing, Ltd., and Applicant, Michael Foods, Inc., jointly move the Board to suspend these consolidated proceedings for 60 days, for the following reasons:

The parties are actively engaged in negotiations for settlement of this matter and believe that they are close to final agreement. The parties request that these consolidated proceedings be suspended to allow the parties to finalize their settlement efforts.

In support of their request, the parties report to the Board as follows:

1. Recitation of Discovery Taken to Date.

Opposer has served discovery on Applicant. Because of the parties' earnest attempts to resolve this matter without undue expenditures of money and time, the parties have agreed to also suspend the time for which Applicant's discovery responses are due. Applicant did not serve any discovery.

2. Statement of Issues That Have Been Resolved.

The parties have resolved all issues relating to the use of the ALL WHITES PLUS mark. The parties have also resolved all issues relating to the use of BETTER 'N EGGS PLUS mark when used in a stylized form or with a design.

3. Statement of Issues Remaining to be Resolved.

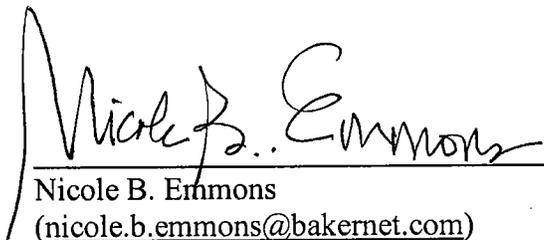
The parties are finalizing details of use of the BETTER 'N EGGS PLUS word mark in text, audio and audio-visual media.

4. Timetable for Resolution.

Because Applicant recently hired its first general counsel who had to come up to speed on the issues, Applicant was delayed in providing comments on Opposer's last proposal relating to the unresolved issues. Opposer currently is reviewing Applicant's proposed revisions to the parties' agreement. The parties will resolve this matter on or before the expiration of the requested suspension.

The parties respectfully ask the Board to grant the consented motion.

Dated: September 17, 2009



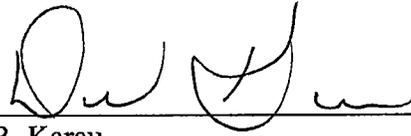
Nicole B. Emmons
(nicole.b.emmons@bakernet.com)

Nathan A. Engels
(nathan.a.engels@bakernet.com)

BAKER & MCKENZIE LLP
2300 Trammell Crow Center
2001 Ross Avenue
Dallas, TX 75201
Phone: (214) 978-3052
Fax: (214) 978-3099

**ATTORNEYS FOR OPPOSER
PPC MARKETING, LTD.**

Dated: September 16, 2009

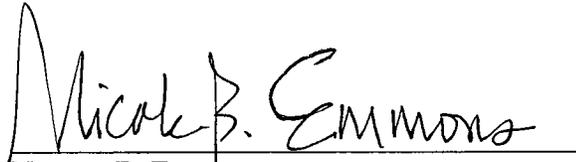


Dean R. Karau
Fredrikson & Byron, P.A.
Suite 4000
200 Sixth Street South
Minneapolis, MN 55402-1425
(612) 492-7178
ip@fredlaw.com
**Attorneys for Applicant Michael Foods,
Inc.**

CERTIFICATE OF SERVICE

The undersigned certifies that on the 17th day of September, 2009, a true copy of the foregoing **JOINT MOTION TO SUSPEND CONSOLIDATED PROCEEDINGS** was served on opposing counsel, via First Class mail, postage prepaid:

DEAN R. KARAU
FREDRIKSON & BYRON, P.A.
SUITE 4000
200 SIXTH STREET SOUTH
MINNEAPOLIS, MN 55402-1425



NICOLE B. EMMONS